

SENATE BILL REPORT

SHB 2180

As of February 23, 2024

Title: An act relating to increasing the special education enrollment funding cap.

Brief Description: Increasing the special education enrollment funding cap.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Callan, Bergquist, Reed, Ormsby, Ramel, Stonier, Paul, Alvarado, Farivar, Fosse and Reeves; by request of Office of Financial Management).

Brief History: Passed House: 2/13/24, 97-0.

Committee Activity: Early Learning & K-12 Education: 2/21/24 [DP-WM].
Ways & Means: 2/24/24.

Brief Summary of Bill

- Increases the K-12 special education enrollment funding cap from 15 percent to 17.25 percent.
- Requires the State Auditor to conduct a review of the prevalence of disabilities.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: Do pass and be referred to Committee on Ways & Means.

Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier, Hunt, McCune, Mullet and Pedersen.

Staff: Alex Fairfortune (786-7416)

SENATE COMMITTEE ON WAYS & MEANS

Staff: Richard Ramsey (786-7909)

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Background: Special Education Funding. The state allocates funding for a program of special education for students with disabilities. Special education is funded on an excess cost formula for up to 15 percent of a district's students. This formula multiplies the district's base allocation for students enrolled in K-12 special education by an excess cost multiplier of either:

- 1.12 for students receiving special education and reported to be in the general education setting for 80 percent or more of the school day; or
- 1.06 for students receiving special education and reported to be in the general education setting for less than 80 percent of the school day.

Pre-K students receiving special education services, including three-year-olds, four-year-olds, and five-year-olds not yet enrolled in kindergarten, are funded based on a multiplier of 1.2 percent. These students are excluded from the 15 percent enrollment funding cap.

Summary of Bill: The K-12 special education enrollment funding cap is increased from 15 percent to 17.25 percent.

The State Auditor (Auditor) must review the prevalence of disabilities and whether the provisions and funding for evaluating students and providing services reflects the prevalence of disabilities, including whether any populations are disparately underevaluated or underserved. This review must be conducted in consultation with the Office of the Superintendent of Public Instruction. The Auditor must report findings and recommendations to the Governor and fiscal and education committees of the Legislature by November 30, 2025.

Appropriation: The bill contains a null and void clause requiring specific funding be provided in an omnibus appropriation act.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony (Early Learning & K-12 Education): No public hearing was held.

Persons Testifying (Early Learning & K-12 Education): No one.

Persons Signed In To Testify But Not Testifying (Early Learning & K-12 Education): No one.